

Remarks

This reply is in response to the Final Office Action mailed August 21, 2007. Claims 31, and 34-56 are pending and in condition for allowance.

The courtesy of the Examiner in granting a telephonic interview on September 10, 2007, to the undersigned, Applicant's representative Philip M. Goldman, and inventor Dr. Jeffrey Fell is appreciated. The following recitation of the substance of the interview is believed to be complete and proper, in accordance with MPEP 713.04. It is requested that the Examiner notify the undersigned if he believes this Statement contains any inaccuracies or if the Examiner believes the Statement is otherwise not complete and proper.

In the course of the interview, cited U.S. Patent No. 6,206,927 (Fell et al.) was discussed. The general discussion offered during the interview involved the Applicant's assertion that, among other deficiencies, Fell fails to disclose the system claimed by Applicant. For example, Fell does not teach or disclose one or more tibial projections extending distally over a rim of the tibial plateau and into a posterior cruciate ligament (PCL) fossa of a tibia. At its closest, Fell discusses a posterior cusp (as shown in Figure 11). However, Fell does not teach or suggest that such cusp extends distally over a rim of the tibial plateau or into a PCL fossa of a tibia. As explained in the interview, the one or more tibial projections as claimed by Applicant are useful for anchoring the implant relative to the tibial plateau. In contrast, Fell does not disclose anchoring the implant to the tibial plateau.

In the course of the interview, it was agreed that claim 31 is patentable over Fell, including for the reasons provided above.

The pending claims are also patentable over US Patent No. 5,944,759 (Link), either alone or in combination with Fell, for reasons provided previously and for others as well.

No other pertinent matters were discussed during the interview.

The Examiner is encouraged to telephone the undersigned in the event any further matters remain to be addressed.

The Commissioner is hereby authorized to charge any additional filing fees required to Deposit Account No. 06-1910.

Respectfully submitted,

Dated: September 11, 2007

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